



An
Coimisiún
Pleanála

Commission Direction
CD-000492
PL-500693-WC-26

The submissions on this file and the Inspector's report were considered at a meeting held on 29 April 2026.

The Commission decided to refuse permission for the following reasons and considerations.

Planning Commissioner:

MaryRose McGovern

Date:

30th day of April 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the location of the subject site within a highly scenic area of High Value Landscape Area, as set out in the Cork County Development Plan 2022, Section 5.12.2 of the plan, and Objective RP5-30 (Redevelopment or replacement of an Uninhabitable or Ruinous dwelling) which sets out certain criteria to be

satisfied by proposals for the renovation, redevelopment, or replacement of existing uninhabitable or ruinous dwellings, and having regard to the totality of the information on the appeal file, and the absence of adequate details from the applicant regarding the precise condition of the structure prior to the works undertaken, the Commission was not satisfied that the applicant satisfactorily demonstrated that the original walls of the subject structure were substantially intact, prior to the works now proposed to be retained, or that the criteria set out by Objective RP5-30 were satisfied. The Commission therefore considered that the proposal would materially contravene Objective RP 5-30 of the Cork County Development Plan 2022 -2028. The development proposed to be retained, and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Furthermore, having regard to the location of the subject site in an area of High Value Landscape and within a rural area categorised as a Tourism and Rural Diversification Area, as designated in the Cork County Development Plan 2022 -2028, and objectives RP 5-1 and RP 5-2 of the development plan, which discourage urban generated housing in rural areas, and seek to facilitate those with a rural generated housing need, it is considered that in the absence of adequate details from the applicant to demonstrate a genuine rural generated housing need within the meaning of objective RP 5-5 of the plan, the proposal would materially contravene Objectives RP 5-2 and RP 5-5 of the Cork County Development Plan 2022 -2028. The development proposed to be retained, and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission noted the Inspector's opinion that the photographs provided with the

2022 application (Ref. 22/615) from both the applicant and the PA, made it difficult to fully ascertain the condition of the remaining walls within the structure at that time. The Commission however also noted the contents of the planning authority's planner's report dated 22nd November 2022, for planning reference 22/615, which referred to an inspection of the subject site on the 21st of October 2022, and the planner's observation at that time that "The original walls of the structure are not substantially in place". Consequently, in the absence of any adequate details to confirm the precise extent and condition of the walls of the structure before the commencement of the works now proposed to be retained, and in the absence of any details from the applicant, regarding the specific works undertaken to the structure, the Commission could not be satisfied that the applicant demonstrated compliance with the criteria set out by Objective RP5-30.

The Commission noted the planning authority's Ecology – Primary Report of 15 December 2025, which includes comments regarding the potential of the proposed development to support bats, and regarding the requirement for a bat survey, to further assess any requirement for mitigation measures, or potentially a bat derogation licence. The Commission also noted the absence of any information regarding bat activity at the structure in the period prior to the works now proposed to be retained. The Commission had a concern regarding the applicant's compliance with the criterion of Objective RP5-30 which requires that "No damage shall be caused to sites used by protected wildlife." Although ordinarily this might warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.